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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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YOUNG BROTHERS, LLC, A Hawaii
Limited Liability Company

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Plaintiff,

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v.

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T/B HOKULANI, OFFICIAL NUMBER
575737, *IN REM*, and Hamilton Marine
Construction, LLC, An Alaska Limited
Liability Company

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Defendants.

IN ADMIRALTY

Case No. Case No. 2:21-cv-00105

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ORDER FOR APPOINTMENT OF
SUBSTITUTE CUSTODIAN

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Considering the foregoing Motion for Appointment of a Substitute Custodian filed
herein, and upon determination that the conditions set forth in Supplemental Admiralty Rule D
and this Court's Local Admiralty Rules have been met,

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IT IS HEREBY ORDERED that:

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1. The vessel T/B HOKULANI, official number 575737 ("Vessel"), has been or will
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be arrested by the United States Marshal;
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2. The Vessel is currently located within the Western District of Washington;
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3. Foss Maritime Company, LLC is hereby appointed as the substitute custodian for
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the Vessel;

4. The substitute custodian shall keep the Vessel at the West Hylebos mooring area in Tacoma, Washington or some other similarly suitable facility within the Western District of Washington while in the custody of the proposed custodian;
 5. The fees and expenses to be charged by the substitute custodian and for moorage will be less than the cost of leaving the property in the custody of the U.S. Marshal;
 6. The substitute custodian has no interest in the outcome of the action in which the property is or will be under arrest;
 7. The Vessel will not be moved from the Western District of Washington and no person except the appointed substitute custodian will be allowed to enter on the property except as necessary to transfer the property to the facilities of the substitute custodian for safekeeping and except as necessary to adequately safekeep and protect the property and for any permitted cargo handling, repairs, movement of the vessel, or other operations, except as may be expressly ordered by the court;
 8. Young Brothers, LLC has obtained the insurance coverage required by these rules;
 9. Young Brothers, LLC agrees to release the United States and the United States Marshal from any and all liability and responsibility arising out of the care and custody of the Vessel, from the time the United States Marshal transfers possession of the property to the substitute custodian until the property is released or sold,
 10. Young Brothers, LLC agrees to hold harmless and indemnify the United States and the United States Marshal from any and all claims whatsoever arising out of the substitute custodian's possession and safekeeping of the Vessel;
 11. The proposed substitute custodian, Foss Maritime Company, LLC accepts appointment as substitute custodian;
 12. Foss Maritime Company, LLC will maintain possession of the Vessel and will safely keep the Vessel for the duration of the appointment as substitute custodian.

1 Dated this 1st day of February, 2021
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HON. BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE